



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

MEETING DATE February 1, 2016	CONTACT/PHONE Stephanie Fuhs (805)781-5721 sfuhs@co.slo.ca.us	APPLICANT Candace and Phil Guldeman	FILE NO. CO 12-0002 SUB2011-00028
SUBJECT Hearing to consider a request by CANDACE & PHIL GULDEMAN for a Vesting Tentative Parcel Map (CO12-0002) to subdivide an existing 5.27 acre parcel into three parcels ranging in size from 1.02 to 3.0 acres for the purpose of sale and/or development. The proposal involves a modification to the design standards of Section 21.03.010 of the Real Property Division Ordinance (RPDO) for proposed Parcel 3 regarding the average depth to width ratio of a parcel. Proposed Parcel 3 will have a depth to width ratio of 5.8 to 1; however, due to the parcel being on the edge of the Nipomo Mesa, approximately 600 feet of the parcel will be placed in open space to protect the bluff edge which limits the developable area to a ratio of 2.5 to 1. The proposal also includes an adjustment to Section 21.03.010 of the RPDO pertaining to undergrounding of utilities along Mesa View Drive (Highway 1). The project includes off-site road improvements for access from Mesa View Drive (Highway 1) to the proposed parcels. The project will result in the disturbance of approximately 1,500 square feet for on and off-site road improvements with up to two acres for future residential development on the 5.25 acre parcel. The proposed project is within the Residential Suburban land use category. The site is currently developed with one single family residence on proposed Parcel 3. The proposed project is within the Residential Suburban land use category. The project is located at 524 Mesa View Drive, approximately 460 feet northeast of Halcyon Road, approximately two miles south of the community of Oceano on the Nipomo Mesa. The project is in the South County Inland subarea of the South County planning area. This project was continued from the November 2, 2015 and December 7, 2015 Subdivision Review Board meetings.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 12-0002 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 1, 2015 for this project. Mitigation measures are proposed to address Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Noise, Public Services and Utilities, Recreation, Transportation and Circulation and Water, and are included as conditions of approval.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 075-191-029 & 009	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Section 22.98.070 South County Planning Area - Inland, Section 22.98.070B Edge of Nipomo Mesa, Section 22.98.070F Nipomo Mesa Water Conservation Area, Section 22.108.060 Palo Mesa Village Area			
LAND USE ORDINANCE STANDARDS: Section 22.22.070 – Subdivision Design Standards for the Residential Suburban land use category			
EXISTING USES: Single family residence on Proposed Parcel 3			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural and Agriculture/Residences and row crops <i>East:</i> Residential Rural and Residential Suburban/Residences and row crops <i>South:</i> Commercial Retail/Retail uses <i>West:</i> Agriculture/Row crops	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: South County Advisory Council, Public Works, Environmental Health, Ag Commissioner, County Parks, CalFire, Cal Trans	
TOPOGRAPHY: Nearly level to steeply sloping	VEGETATION: Grasses, forbs, scattered oaks, coastal scrub, ornamentals
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CalFire	ACCEPTANCE DATE: October 1, 2014

ORDINANCE COMPLIANCE

Minimum Parcel Size

Section 22.22.070 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Suburban land use category. The standards are based on the topography of the site and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for one **and 2** acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Slope (Parcels 1 & 2)	Average slope is between 0 and 15%	1 acre
Slope (Parcel 3)	Average slope is between 16% and 30%	2 acres
Water Supply and Sewage Disposal	Community water On-site septic	1 acre

Stormwater Regulations

This project is subject to these regulations that went into effect in March 2014 because the property is located within a Stormwater Management Area (Palo Mesa Village Reserve line) and will involve creation of more than 2,500 square feet of new impervious surfaces. This includes both structural development and road surfacing (subdivision improvements). Conditions have been added accordingly.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Inclusionary Housing Fees

Title 29, the Affordable Housing Fund, establishes an in-lieu fee to create a fund that would help to meet, in part, the housing needs of the County's very low, low, moderate income and

workforce households. Section 22.12.080 of Title 22, the Land Use Ordinance, describes the options the applicant may choose to satisfy the requirement.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of Title 21 of the Real Property Division Ordinance.

PLANNING AREA STANDARDS

Section 22.98.070 South County Planning Area - Inland

General sub-area-wide standards include compliance with a County-wide design plan and providing groundwater recharge areas. *A County-wide design plan has not been adopted, so this standard does not apply. The subdivision contains lots of over an acre and is preserving the bluff edge in an open space easement, so the project complies with this standard by retaining a majority of the site in its natural state which provides areas for groundwater recharge.*

Section 22.98.070(B) - Edge of Nipomo Mesa

Applicable standards include providing a drainage plan to show the location of the bluff edge to ensure development is setback from the bluff edge a sufficient distance and that drainage can and will be directed away from the bluff edge. This section also includes standards including grading location limitations, setbacks from the bluff edge, drainage control, and septic system locations. *The applicant was not required to provide a drainage plan for this subdivision because Parcel 3, which is located the closest to the bluff edge, is already developed with a single family residence. Any additional development on any of the three parcels or redevelopment on Parcel 3 would be reviewed for drainage at the time of application for construction permits. The additional standards for grading, setbacks, drainage control and septic system locations will all be reviewed as part of future construction permit applications.*

22.98.070(F) – Nipomo Mesa Water Conservation Area

These standards require documentation of the estimated non-agricultural water demand for the project and payment of a supplemental water fee, if adopted, not to exceed \$13,200 per dwelling unit. *No supplemental water fee has been adopted for the Nipomo Mesa Water Conservation Area, so proposed projects are reviewed on a case-by-case basis and mitigation measures recommended accordingly through the environmental review process.*

The proposed project is a land division on a parcel with residential development on one of the three parcels, so any new development will increase non-agricultural water demand. Staff relied on a water demand report that was prepared for a 4-lot subdivision that is located approximately a mile from the current site within the same water company boundary. The report showed the estimated water demand for the proposal in accordance with ordinance standards. This report was peer reviewed by Fugro Consultants who estimated that project's water usage at 1.33 acre feet per year based on a single family residence and secondary dwelling on each parcel. Based on the current proposal, the project would use an estimated 0.665 acre feet of water to serve the newly created parcels.

In order to mitigate for this new water use, staff is recommending that new development off-set water use at a 1:1 ratio and provide for water conservation measures such as landscaped area limited to 1,500 square feet with no turf, and landscaping plans that use low water using, drought tolerant species (see the attached environmental document for more detailed information on water resources).

Section 22.108.060 Palo Mesa Village

Areawide standards include connection to a community water system when available, a drainage plan requirement, and limiting turning movements onto Highway 1 for Minor Use and Conditional Use Permits. *The property is served by Rural Water Company which serves customers within the Palo Mesa Village area and the northwestern portion of the Nipomo Mesa. The project has been conditioned to comply with standard conditions for properties served by community water and septic systems. As stated above, a drainage plan was not required for this subdivision due to existing development on Parcel 3, the parcel closest to the bluff edge. Future development will be required to provide a drainage plan to ensure drainage is directed away from the bluff edge. The standard regarding traffic pertains to Minor Use or Conditional Use Permits, so it is not applicable in this case since the current project is a subdivision.*

ADJUSTMENTS

Adjustment to Design Standard

Section 21.03.010(c) of the Real Property Division Ordinance sets forth standards for parcel and site design, including a 3:1 average depth to width ratio for newly created parcels. The project proposes an adjustment to the 3:1 width to length ratio. Proposed Parcel 3 will have a depth to width ratio of 5.8 to 1; however, due to the parcel being on the edge of the Nipomo Mesa, approximately 600 feet of the parcel will be placed in open space to protect the bluff edge which limits the developable area to a ratio of 2.5 to 1. The Proposed Parcel 3 is also constrained by the existing parcel configuration which far exceeds the 3:1 ratio since this previous subdivision predates current subdivision standards. Since no structural development will occur on the bluff edge, staff is supportive of the adjustment and has provided findings for the Board's consideration.

Adjustment to the Requirement for Undergrounding Utilities

Section 21.03.010(h) of the Real Property Division Ordinance requires that all public utilities be placed underground within urban and village reserve lines. The subject property is within the Palo Mesa Village reserve line and is subject to this standard. Adjustments to this standard can be requested with the subdivision application as long as specific findings can be made per Section 21.03.020 (Adjustments).

The applicant requested waiver of this standard for the existing overhead power poles that run along Mesa View Drive (Highway 1). Staff has reviewed this request and has added findings for a partial waiver of the adjustment for the Subdivision Review Board's consideration.

COMMUNITY ADVISORY GROUP COMMENTS

The South County Advisory Council reviewed the project at their May 21, 2012 meeting. At that meeting, they "tabled" the item pending traffic safety issues. The project did not go back before the council since that date.

STAFF COMMENTS

One of the primary reasons this project has been under review for a long period of time is the traffic safety issue and whether there is adequate site distance, if a left turn channelization is necessary and the side by side access points serving this parcel and the adjacent parcels to the north. The project has been reviewed by both County Public Works and CalTrans and it has been determined that adequate site distance exists and left turn channelization is not necessary; however, tapering along Mesa View Drive (Highway 1) to provide acceleration and deceleration at Corte de Mayo is needed. Conditions have been added accordingly.

AGENCY REVIEW

Public Works – Recommends conditions for access, drainage, stormwater and utility improvements

Environmental Health – Provide final will serve letter for water service and any maintenance issues with the existing septic system

County Parks – Provide offer for a trail along Mesa View Drive (Highway 1)

CalFire – See attached fire safety plan

Cal Trans – Encroachment permit will be required, left hand channelization not required

LEGAL LOT STATUS

The parent parcel was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs
and reviewed by Terry Wahler, Senior Planner